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**WEARE BOARD OF SELECTMEN
MEETING MINUTES
August 18, 2008**

PRESENT: TOM CLOW, CHAIRMAN; WENDY CLARK, VICE CHAIRMAN; HELEEN KURK, SELECTMAN; RICHARD W. BUTT, SELECTMAN; KEITH R. LACASSE, SELECTMAN

TOWN ADMINISTRATOR: Fred Ventresco

RECORDING SECRETARY: Cherry Palmisano

GUESTS: Tina Connor, George Malette, Donna Osborne, Jon Osborne, Betty Straw, Sherry Burdick, Stephan Flanders, Will Ottery, Tim Savinsky, Alex Lescarte, Brian Grattan, Marge Burke, Paul Levandowsky, Carl Knapp

7:00 p.m. Chairman Clow called the meeting to order.

PUBLIC COMMENT – Mr. Alex Lescarte informed the Board he has a camp on Mt. Road and knows a gentleman wrote a letter asking the Board to shut down Mountain Road. Mr. Lescarte is against the closure of Mountain Road.

Ms. Sherry Burdick gave the Board the document regarding the specifications for the skylight they requested for the Stone Memorial Building. Selectman Butt asked about the warranty. Ms. Burdick told the Board the skylight would normally come with a five year warranty, but because it is being purchased by the town the company is giving them a ten year warranty. Selectman Butt asked if the specification needed to be approved by the Board. Ms. Burdick said Mr. Chip Meany looked at the specifications and said they were fine. Selectman Butt said it was explained to them that there would be a document created because the skylight is custom made. Ms. Burdick said the skylight specifications will need to be approved before the skylight is custom made. Mr. Malette said the project is to move forward after the Board approves the specifications. Ms. Burdick said the dimensions they measured are the exact measurements in the specifications. Mr. Fred Ventresco said that Mr. Meany told him the specifications were fine. Selectman Lacasse said he looked them over with the Building Committee and feels the specifications are fine. It was discussed the skylight can move forward.

Mr. Tim Savinsky lives on River Road and expressed that he is against the closing of Mountain Road. Chairman Clow said no decision has been made.

COMMITTEE ITEMS – Mr. George Malette informed the Board that the building of the soccer concession stand at Bolton Field did not come before the Building Committee. Chairman Clow said it requires a public hearing, which will be held on September 2, 2008.

Mr. Malette informed the Board that the Building Committee would like to receive copies of the final reports going to the Fire Protection Engineer and Fire Marshall.

Mr. Malette mentioned the door to the copier room was open again and it needs to remain closed.

DEPARTMENT HEADS – Mrs. Tina Connor gave the Board the revised estimate for revenues report due on September 1st to the Department of Revenue. Mrs. Connor said she also gave them a copy of the original MS6 submitted at the beginning of the year. Mrs. Connor said the Department of Revenue wants the revised report to see if there have been changes in revenue. Mrs. Connor said the biggest changes were due to the March vote, Articles 9 and 10 failing so the \$2,150,000 did not get brought forth and Article 16 for \$35,000 for a building

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study which dropped down to \$3,750 which is reflected on the revised revenue report. Mrs. Connor said there were not a lot of changes. She got information back from departments as requested, but did not receive anything from the Police Department, which is not a significant source of revenue. The Town Clerk Motor Vehicle permits are estimated at \$1,485,000 which according to the Town Clerk are OK. Mrs. Connor said they will be able to look at this again when they set the tax rate. Mrs. Connor said the MS6 were the estimated revenues submitted in January, now they are looking at the actual up to July 31 to decide what needed to be changed. \$124,000 came in from the East Weare property that was unexpected from flood control reimbursement back pay from 2006 from the state. Mrs. Connor said this is a \$45,000 revenue increase from the January estimate. It was discussed this report does not require a signature from the Board.

Vice Chairman Clark asked about the MS4 timber tax decrease and decrease on the delinquent tax. Mrs. Connor said they have up to a year to bill that and it is totally different, because you never know when someone is going to cut timber. Vice Chairman Clark questioned the land use tax. Mrs. Connor said right now they are at almost \$25,000 for the 25% portion that the town keeps and they will look at it closer later. Vice Chairman Clark said it seems high and they need to be more realistic and not inflated. Chairman Clow said they will discuss this in another 6-8 weeks. Selectman Butt asked Mrs. Connor to check the numbers for the Land Use Change Tax and asked if Diane Lamb is taking out the 75%. Mrs. Connor said he probably got numbers on what has been collected, revenue is based on what has been billed, it will change at the end of the year; when billed it is revenue. Chairman Clow asked if any action needs to be taken tonight. Mrs. Connor said they have time to look it over before it is due on September 1, 2008.

Selectman Kurk mentioned the flood control reimbursement money for the dam and asked if it was particularly high because the state has been underpaying them or can they expect to stay at that amount. Mrs. Connor said DRA has that information. Selectman Kurk cautioned the Board to watch that revenue line. Chairman Clow said they received the \$124,000 they have not received the \$44,000 which will come in the fall. Selectman Butt said this is unanticipated revenue and at one point it was discussed returning this to the taxpayers, they will have to make that decision at a later time. Chairman Clow said when they sit down to set the tax rate they will have a stable number.

Mrs. Connor said she spoke with Mr. Ventresco about receiving a pamphlet from the LGC Academy for seminars being offered. Mrs. Connor said the cost of text books is \$221.00 and the cost is \$45.00 per course. Mrs. Connor would really like to attend the classes on Basic Government Accounting, Internal Controls and Fraud and Financial Accountability. Vice Chairman Clark asked is there was money available to cover the cost. Mrs. Connor said there is \$225.00 in her seminar line and \$250.00 in her office supply line. The first class is September 30 and only 20 people are allowed in each class. Mrs. Connor said the blue book costs \$99 and she may have that edition already. Vice Chairman Clark does not know how they can say yes because of the money; feels it would be great but does not know how they can justify the cost. Chairman Clow said they changed this position to Finance Administration and hoped the person would have a broad background and feels they should support her with the necessary education. Selectman Butt said he supports it as well. Mr. Ventresco feels they can share office supplies and be able to save money and said he will look at the lines to find the money. Selectman Butt feels if Mr. Ventresco can find the money then it is his decision. Chairman Clow said the Board does not need to vote on individual seminars, it is up to Mr. Ventresco to find the funds.

Chairman Clow asked for the budget preparation discussion to be on the agenda because he feels they need to give department heads more time than they did last year. Chairman Clow said in order to do this efficiently they need time to do the research up front and the formats they present their budgets in needs to be the same. Mrs. Connor said their spreadsheet format starts out in Excel and then she inputs it into the system with notes and everything is in the same format. Mrs. Connor said last year department heads made last minute changes that cannot happen. Chairman Clow said they need to set a timeframe to the department heads to present their budgets. Selectman Butt would like to see the Board united in presenting information to the department heads regarding budget increase percentages which will be agreed upon by the Board. Mrs. Connor said she can get

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the department heads the worksheets. Mr. Ventresco will make sure the Board gets the budgets in the correct format.

Mr. Carl Knapp informed the Board he just received a letter from the State of NH Representatives regarding old tires. The letter is to inform towns of a House Concurrent Regulation for an annual free tire collection day. All municipalities are urged to have one free tire collection day per year. Mr. Knapp said this would cost the town money. Selectman Lacasse asked Mr. Knapp if there are tires disposed of throughout the town on the side of the road. Mr. Knapp said they use to have a problem but not lately, said you will see some. Mr. Knapp said they only charge for disposal of items that cost the town money to get rid of. Mr. Knapp said when he took over the transfer station there was 50,000 tires there and he had them all removed within the first year. It costs \$2.00 to get rid of an automobile tire. Mr. Knapp said this would mess up the revolving fund because this fund runs well now and this would put it into a deficit.

Mr. Knapp said the salt quote for this year from Granite State Minerals has gone up \$13.68 a ton equaling about a \$34,000 increase in their salt line (30% increase). Mr. Knapp said they budgeted \$157,000 last year (2008). Next year (2009) would be about \$190,000. Mr. Knapp said the town needs approximately 2,900 tons at \$61.41 per ton, delivered to the town's salt shed. Mr. Knapp needs the Board to vote on accepting the quote.

Chairman Clow moved, Vice Chairman Clark seconded to accept the proposal from Granite State Minerals for \$61.41 per ton of rock salt delivered as specified in letter date July 25, 2008. Passed 5-0-0

Mr. Knapp said this guarantees the price until April 2009. It was discussed they should not need to purchase salt until the first of the year, because there is still some stored in the shed to cover 6-8 storms. There is \$105,000 left in the fund at this time. Selectman Butt asked if the same number is in the default as in the proposed. Mr. Knapp said yes.

Mr. Knapp asked Chairman Clow about the development on Twin Bridge Road because he received something from Art Siciliano about keeping track of the salt usage on that road. Chairman Clow said he does not know anything about it. Mr. Knapp said they would need computerized spreaders in order to keep track of the salt usage.

Mr. Knapp informed the Board that the transfer station hours and the 3:00 closing is causing lots of problems with the public because it is hard for the public to get there by 3:00. They need to have consistent hours that accommodate the employees and the public. Mr. Knapp said they could go with many different scenarios and is open to suggestions he would like to see it open later in the day. The staff is there 7:00 – 3:30 and open to the public 7:00 – 3:00 and during the summer Thursdays are 10-5. Selectman Kurk said if they are not going to change it in the winter time they need to be aware of when it gets dark. Mr. Knapp suggests closing at 4:30 p.m. Selectman Butt said last time the Board made the decision of the time for the transfer station and he would like Mr. Knapp to make the decision on the hours of the transfer station. Selectman Butt said they want to make sure overtime is not consistent. Mr. Knapp feels the employees need time to close up after the gates are locked. Chairman Clow asked Mr. Knapp if he knows what hours he would like. Chairman Clow does not want staff to lose hours in the process. Selectman Butt wants notice given to the public. Mr. Knapp wants hours the same no matter what season. Selectman Lacasse asked if they were to make the transfer station hours so that they could not make the employees 40 hours, could Mr. Knapp use the employees for other projects. Mr. Knapp said absolutely, but not for an hour at the end of the day and it would need to be a greater block of time. Chairman Clow asked how 4 days instead of 5 would affect the commercial haulers. Mr. Knapp spoke with a hauler and he said if they were to be open later than closing a day would not be a big problem. Mr. Knapp said Thursday would be a good day to close and if the need to cut the hours then they would. It was discussed that at the next regular meeting on September 8th they will set the hours and give the public and commercial haulers notice.

Chairman Clow discussed the progress at Abijah Bridge and commented on the beautiful marsh. Mr. Knapp said the job is going well and is right on schedule.

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MILDRED HALL BEQUEST ADVISORY COMMITTEE – Ms. Betty Straw gave the Board a map and description of Article 24 and said she assumes everyone is familiar with what needs to be done. Mr. Ventresco commented this is what the Conservation Commission passed out at the Deliberative Session. Ms. Straw said the Conservation Commission and all those involved are lacking \$20,000 for the Piscataquog monitoring fee so the project could proceed. Ms. Straw said the Mildred Hall Bequest Advisory Committee feels this is important to the town and would like the Board to approve the expenditure of the \$20,000 from the fund. Chairman Clow said the warrant article stated \$200,000 and the rest would be from the Conservation Commission. Ms. Straw said the some of the funding is coming from the Russell Foundation. Ms. Straw said Mrs. Terry Knowles told her everything was in place for funding but they were lacking \$20,000. Selectman Butt said he needs more information and mentioned the fact that the voters did not vote for the \$200,000. Mr. Malette said all the money is coming from the Conservation Fund, they had a number of projects before them, that is why they brought it before the voters and moving forward will deplete the fund. Mr. Malette said the \$20,000 represents a \$10,000 fee per piece of land, which is a requirement that they were not aware of at the time of the warrant article, this is a one time fee.

Selectman Butt asked how much money is in the conservation fund. Mr. Malette said he thinks there will be very little left. Selectman Butt said that is not good enough for him. Mr. Malette said after removing all their commitments it will leave the account with the lowest possible figure of \$500.00 and will be replenished with the current used land tax funds. Mr. Malette said closing costs could be around \$4,000 but they voted in \$7,000 to cover the expenses. Selectman Butt said so that does not include the revenue that will be going into that fund. Selectman Butt asked what they get with the PWLA. Mr. Malette said they hold the easement on the land. Mr. Malette said all the land trusts do this in case they come to legal issues than there is a fund set up to enforce the easement of the land. The PWLA does an annual survey, walks the land and writes a report. Selectman Butt would have liked advance notice to be able to make this decision before making the \$200,000 purchase so this was discussed and everyone knew there was going to be \$20,000 expended from that fund. He knows the voters said no, which does not mean you can't find another revenue source to make the purchase.

Vice Chairman Clark asked Ms. Straw to explain what the Mildred Hall Fund is for. Ms. Straw said the fund was left to the town for projects that would benefit the town; a committee was set up to advice the Selectman on how that money should be spent. Ms. Straw said this project will add considerably to the conserved land so that it will not be developed and will save the town money in the long term by not being developed. She said the committee considered the expenditure and gave copies of their July 31 minutes to the Board so they would have advanced notice. Chairman Clow does remember seeing reference to this. Mr. Ventresco said he did distribute the minutes. Selectman Kurk said it went before the voters to raise funds for this easement, the voters said no. Selectman Kurk said the Conservation Commission makes independent choices from the BOS so the \$200,000 that they are supporting for this purpose is a separate issue than that of the town vote, that brings them to the \$20,000 to come out of the Mildred Hall Fund which the Board has discretion over with the committees recommendations. Ms. Straw said this money from the fund was not raised by taxation. Selectman Kurk said the Mildred Hall Bequest Advisory Committee feels this will benefit the town. Selectman Butt feels the \$20,000 should come out of the Conservation Fund and not from the Mildred Hall Fund. Selectman Butt said he knows the Conservation Commission had other projects they wanted to use the funds for; the issue is the \$20,000. Selectman Butt feels the Conservation Committee should have money to pay for this. Mr. Malette said there is a purchase and sale and the BOS did approve the Conservation Commission moving forward. This stewardship fund request is the last piece. Mr. Malette said this piece of land is high on their list for preservation, it is privately owned.

Chairman Clow said through discussions on what the fund is for, this keeps with what the will expressed. It was mentioned this property borders on where Mildred Hall lived. Ms. Straw said it does abut her property. This would increase the land that is currently protected there. Ms. Straw said she spoke with Rod Wilson today about the snow mobile trail, the trail going through his land is no longer available for ATV usage, and the right of

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way has been legally taken care of. Vice Chairman Clark said if the Mildred Hall Fund is available for the best interest of the town, she could think of more important uses for the funds. Ms. Straw said they realize that town buildings are in dire need of repair, but buildings come and go, but if land is developed it is gone. The land is designated residential. Selectman Butt said the Mildred Hall Fund is not self funded but the Conservation Commission fund gets funded each year and he is concerned with usage of those funds. Selectman Butt believes in the project but is concerned with the \$20,000.

Selectman Kurk moved, Chairman Clow seconded that they approve \$20,000 from the Mildred Hall Fund to pay for the monitoring fee for the Wilson/Hawkes Conservation Land to PWLA. Passed 3-2-0

Selectman Lacasse asked other than no development what does the town gain, do they gain public access. Ms. Straw is unsure at this time, easements vary. Selectman Butt asked how it would be accessed. Chairman Clow said it is not an open access to the public, it is privately owned land that would have an easement to ensure the fields would always be there without development. It was discussed that access needs to be negotiated by the landowner. Chairman Clow said there is a balance between the authority of the BOS to expend from this fund, but valuing the opinion of the committee to expend from the fund needs to be considered. Selectman Butt wants to know if that committee knew what the balance was in the conservation fund before making the decision. Ms. Straw said they were told everything was brought together for the funding except for the \$20,000. Chairman Clow said in order to close the purchase of the easement the money is needed for the monitoring fee in hand and at this time the money from Current Use for the current year is not available. Chairman Clow said the conservation fund should be receiving \$90,000 at year end from revenue. Mr. Malette said they only calculated the current balance not what is coming from current land use tax revenue at the end of the year.

Selectman Lacasse said the Conservation Commission can expend their funds without other Boards approvals. Mr. Malette said they do always approach the BOS for approval. It was mentioned the BOS consisted of different members that encouraged the Conservation Commission to proceed forward on this easement. Mr. Malette said they had to send out letters to 4-5 other projects stating they could not move forward on their projects because of lack of funds. Selectman Lacasse said if the Conservation Commission has the right to spend their money as they see fit, the Mildred Hall has the right to spend their funds on what they vote upon.

Vice Chairman Clark feels the Board is here for the citizens not for any committee, if the voters voted something down they have to uphold that decision, not just grant committees what they want. Vice Chairman Clark thinks she voted for this, but probably would not have if she had known there would be no public access. Vice Chairman Clark feels if the Conservation Commission wants to purchase this easement then they need to come up with the additional \$20,000. Chairman Clow feels the voters based their decision on the financial issue rather than a rejection of conservation. Mr. Ventresco said they might need to review the wording of the article closely. Selectman Butt said the actual article does not have the total amount. The article states enforcement rights towards the easement. Selectman Kurk said she feels there is a connection here to what Mildred Hall would have valued because it is so close to her home and she supports this.

CABLE SERVICE REQUESTS FOR SCHOOL – Mr. Will Ottery, WTV6 and 17. Mr. Ottery informed the Board the committee agreed during a meeting held on July 23 with a representative from BOS, School Board and 7 members of the Cable Committee that the funds will come from the reserve accounts. Mr. Ottery said he understands the discussion tonight is about the letter that the School Board has written to the Selectman. Chairman Clow said they have some questions that were not answered at the meeting.

Mr. Brian Grattan said when they first discussed this they were thinking long term, but at the meeting they started looking at long term and short term goals and the costs changed. They want to bring the School Board's ability to broadcast to WMS. Mr. Grattan said in regards to the internal broadcasting they are proposing down the road, some should be funded through the Cable Reserve Fund and some funded through the school. Mr. Grattan commented that they met at CWES to see what equipment they could reposition from CWES to WMS and still have the ability to broadcast remotely from CWES. This will reduce the cost and Broadlink would

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provide them with the necessary equipment, put everything in place and work with Comcast to make sure they could broadcast from necessary locations within the school. Mr. Ventresco said Broadlink is formerly Integris. Mr. Ottery said they would like to stay with them because they have already done considerable work in the town. Vice Chairman Clark asked if Broadlink will make sure everything works so they don't have to pay them to come back and incur extra fees to fix problems or train personnel. Mr. Grattan said they will be utilizing equipment that School Board and Cable Committee already has knowledge of. With regards to broadcasting from other places such as gym or café, the town can train who needs to be trained; it is possible they might need to call on Broadlink. Mr. Ottery said Broadlink believes in an unlimited lifetime warranty on their installation and a one year warranty from the manufacturer on new equipment. Mr. Grattan said Broadlink is very committed to get this job and he feels it is the town's best interest to go with Broadlink.

Selectman Butt thanked the 3 people who put the letter together explaining what they are trying to accomplish. Initially what they presented was equipment from CWES and quotes that will get them to be able to broadcast from WMS. Selectman Butt mentioned the Deliberative Session and where it will be and be broadcasted from. Selectman Butt said the additional broadcasting channels from the school will allow them to broadcast the morning announcements internally and will help to encourage developing a curriculum. Mr. Grattan said they need additional equipment to go in the TV studio which they don't currently have and do not have funding for but they are working collectively with the town and the School Board. Selectman Butt commented that it is a good base and will be good utilization of equipment. Selectman Butt said one thing they need from the school is what they expect to purchase for the next 3 years. Selectman Kurk said this past year they did agree the Cable Committee had enough money to fund themselves and did not need to be included in the CIP. Selectman Butt said they did not have to be part of the CIP because the Cable Committee already had enough money to fund their requests. Mr. Ottery said they are looking at purchasing 2 units. Selectman Butt said they need to know what they plan on requesting and it needs to go before CIP. Selectman Butt said when they receive the Cable Franchise Fee it goes into the General Fund. Selectman Butt said if they are going to be looking for substantial cameras and they are going through the Cable Committee the request needs to be well documented. Mr. Ottery said it all takes time; they have over \$30,000 in that account. Chairman Clow said request forms from CIP have been sent out. Mr. Grattan said for long term goals the purchasing of equipment has been budgeted and submitted to the state in a 3 year plan. Chairman Clow said the plan here will allow broadcasting from the gym at WMS. Mr. Grattan said this plan takes the ability of what they have at CWES and puts in into the WMS Library, gym and 3-4 locations in the cafeteria and the ball fields as well. This will allow them to hold and broadcast the Deliberative Session at WMS. Mr. Grattan said CWES will still have broadcasting capability remotely. They can only broadcast on channel 17 from 1 location. Mr. Ottery said that is where that remote modulation equipment comes into play.

Mr. Grattan said the possibilities are limitless and looking at it from a town's person's objective they have never had this capability and they would like to get started. Selectman Butt said they are looking at 2 cameras and a device to allow the usage of both cameras. Selectman Kurk asked them to discuss the Bulletin Board. Mr. Grattan said it is not being replaced, just moved to WMS. The channel 17 bulletin board can be continually broadcasting messages when they are doing things internally. Selectman Kurk said getting future plans into the CIP to plan for the future is important.

Mr. Paul Levandowsky said once they get their curriculum they will be able to identify future needs, but right now they need to be able to broadcast School Board meetings from WMS. Mr. Grattan said this provides the infrastructure for everything in the future. Vice Chairman Clark asked with the \$10,000 proposal in front of them will there be a chance for students to work with the equipment so as to help get future funding. Selectman Butt said the middle school students that worked with Mr. Geddes were broadcasting baseball games. Selectman Kurk asked what happened with Comcast. Mr. Grattan said the additional \$3,000 he proposed, he was mistaken what it was for, it is actually part of the long term goal, currently Comcast does owe them some work at no further cost, \$3,000 would be internal.

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Selectman Lacasse asked if the proposal was for the \$10,000 to be split. Mr. Grattan said no, it is totally out of the reserved account; it was voted on. Chairman Clow said they need to have the fund balance attached to the request sheet. It was discussed there is \$31,000 in the fund, not including the cable fee deposit.

Selectman Butt moved, Selectman Kurk seconded to accept the bid from Broadlink for \$10,350 with money to come out of the Community Access Account. Passed 5-0-0

Marge Burke thanked Will Ottery, Brian Grattan and the Board for all the work done to educate Weare children.

MEETING MINUTES

Chairman Clow moved, Selectman Lacasse seconded to approve the minutes of July 9, 2008 as written. Passed 4-0-1

Chairman Clow moved, Selectman Kurk seconded to approve the minutes from July 21, 2008 as amended. Passed 4-0-1

Chairman Clow moved, Selectman Kurk seconded to approve the minutes from July 28, 2008 as amended. Passed 3-0-2

Chairman Clow moved, Selectman Lacasse seconded to approve the minutes from July 30, 2008 as amended. Passed 3-0-2

Chairman Clow moved, Selectman Lacasse seconded to accept the minutes of August 4, 2008 as amended. Passed 3-0-2

Chairman Clow moved, Selectman Kurk seconded to accept the minutes of August 11, 2008 as written. Passed 5-0-0

Selectman Kurk mentioned she just looked up the balance of the Cable fund given to them by the Trustees of the Trust Fund and it states \$12,500 as a balance.

POLICE UNION CONTRACT – Chairman Clow said they have a formal invitation to negotiate the Police Union Contract. Mr. Ventresco said they need to discuss who will be in the negotiations; he has not received feedback from the attorney. Chairman Clow is unsure if they need a 3rd person at the table. It was discussed one person is made the speaker. Mr. Ventresco said he will get prices from the attorney for a negotiator to be present during negotiations. Mr. Ventresco said the union has asked for a brief meeting, before the negotiations, to get to know each other as soon as possible. Mr. Ventresco said tonight they should just pick who they want to be on the negotiating team. Mr. Ventresco said the union is concerned with time limits. Mr. Ventresco said he thinks they need to make the decision if they want to have a negotiator or not. Chairman Clow said in the ground rules it will state any proposals to be presented need to be presented by the 3rd session. Mr. Ventresco said he does not have anyone on board as a negotiator at this time. Chairman Clow said if they do have a preliminary meeting it does not focus on any demands for proposal, but opens the door for discussion. Mr. Ventresco said the union did request the meeting, hopefully for this week.

Selectman Kurk said the last negotiation team met approximately 4-5 times total; creating the contract from scratch. They did have a negotiator who knew the union's negotiator very well. Chairman Clow asked the Board who would like to be on the negotiators team. It was discussed 2 Board members should be on the team. Vice Chairman Clark does not wish to participate. Selectman Butt said he is pretty close to some people at the Police Department and feels it would be best not to be involved. Selectman Kurk feels she did not have enough experience to bring to the table during the last negotiations. Selectman Lacasse would be available. Chairman Clow said the only one who needs experience is the negotiator, if they chose to hire one. Chairman Clow said there will be a proposal and then each side goes off on their own and comes back and responds; the only people at the table who are talking are the negotiators for both sides. The team does not have to be experienced in the process. Selectman Kurk said she found what their negotiator recommended they did. Tonight they need to decide which 2 people will be on the team. Chairman Clow said he has had experience negotiating contracts but

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feels it would be in the best interest not to be the negotiator spokesperson. Selectman Lacasse said he will be part of the negotiating team and Selectman Kurk will also be part of the team. It was discussed everything is brought back to the Board near the end of the negotiations.

It was discussed the Board does want to hire a negotiator and there is money in the legal line. Chairman Clow feels they need clarification for of the purpose of the preliminary meeting. Mr. Ventresco is unsure if they want the whole Board present or just the 2 members of the Board who will be on the negotiating team. The meeting will take place at the Manifest meeting next week.

PURCHASING POLICY REVIEW – Selectman Lacasse mentioned the payment made in advance to the contractor to purchase the copper roofing material. Selectman Lacasse said in his business practice this would never be allowed to happen and he feels as a general rule advanced payment should not be made. Selectman Lacasse feels there is nothing showing that the Town of Weare now owns that copper roofing material, just a promise. Vice Chairman Clark said she discussed with her husband when being paid upfront there was a form that released any type of potential lien and he thinks in NH you can't request more than 50% upfront. Selectman Lacasse said the contractor can ask for whatever he wants, but you do not have to grant it. Selectman Lacasse said in his business practice payment is always made after portions of the project are complete. Chairman Clow said if the contractor purchased the material and showed the receipt to the town, then the town could have given them payment. The Board discussed having a lien waiver. Chairman Clow asked Selectman Lacasse to write something out as an amendment to the Purchasing Policy. Mr. Ventresco said the policy states that the Board of Selectman has the right to override the policy. Selectman Butt wants to make sure they are not preventing this from happening but just have written proof of the purchase.

GRAVEL PIT REGULATION RESPONSIBILITY – Chairman Clow said Selectman Kurk asked for this to be on the agenda. Selectman Kurk said the BOS are the regulators and they have discussed for many years to have the Planning Board be the regulators of gravel pits. It was discussed a warrant article will be needed to move the responsibilities of regulators to the Planning Board. Selectman Kurk said she is looking for a commitment from the Board that they will create articles to hand it over to the Planning Board. Selectman Lacasse thinks it should be in the hands of elected officials. Selectman Kurk said most towns have the Planning Board as regulator; it is a land use item and feels the Planning Board is better equipped to regulate. Selectman Kurk said it was on the warrant in 1988 to make the Board of Selectman gravel pit regulators. Vice Chairman Clark is in favor of the Planning Board being regulators. Chairman Clow is also in favor of the Planning Board becoming the regulators because it is a Land Use issue. Selectman Kurk said this is pretty challenging and mentioned assessor Craig Nichols checking on the pits when he was with the town, since then there has been no one checking. Selectman Butt is concerned with it being with a committee and feels it belongs with elected officials; BOS is held accountable to the voters. Selectman Butt said there are people out there who can supply technical support to the BOS if the need was to arise.

Vice Chairman Clark said they need to have some supervision over land use. Selectman Kurk said not supervision, what they want to do is tie in with DES so when an owner put together plans for DES 6 year cycle that it will kick into Weare's cycle. Pits not grandfathered should be reviewed every 2 years to see if what they said was taken out was in fact taken out. Selectman Butt asked what the town's direct involvement is. Selectman Kurk said grandfather pits are reviewed once every 6 years and pits not grandfathered would be every 2 years. Chairman Clow said it is hard to determine who would do review the grandfathered pits. Selectman Kurk said the grandfathered pits need to determine what they will do for that cycle, if they are going to expand and includes a reclamation plan. Selectman Butt said he has seen meetings where it has been discussed and doesn't seem overburdening to the BOS. Selectman Kurk said the RSA speaks specifically to the Planning Board level. Selectman Butt said there was a time when there was an attempt to prevent a gravel pit in the center of town and the Board took the lead. He was initially leaning towards getting it off the Boards plate but feels it should stay with elected officials. Selectman Butt feels the decisions better rest with the Board of

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Selectman when data is provided to them. Chairman Clow feels there is a closer link with the Land Use Office. Selectman Butt asked if the Planning Boards wants it. Selectman Kurk said she spoke with Paul Morin a couple of years ago and he was fine with it. Chairman Clow said this came up because there were pits in the state that were not in compliance, which is not the issue in Weare. Mr. Ventresco said it goes through the Code Officer, Land Use Agent and if they have an Assessor because this is a code issue, land use issue and tax issue and that's the way it should be done. Mr. Ventresco said he does see that the Planning Board is very in tuned to the Land Use codes. Selectman Butt said there are related issues, like traffic. Chairman Clow said if they were to vote on this they would end up split and he would like to table it for the time being.

Selectman Kurk said the Board has been invited by 3 pit owners to visit the pits and the other 2 most likely would not have a problem with them going there. Selectman Butt would like to know how much revenue they generate. Selectman Kurk said they can get that information from Judy Rogers. Selectman Butt asked if Selectman Kurk mentioned to pit owners moving the responsibility to the Planning Board. Selectman Kurk said it seemed to be fine with them. Selectman Kurk said she spoke with Mr. Meany and he will set up the date to view the pits; maybe sometime in September.

DISCUSSION OF PROCEDURE FOR SELECTING TOWN COMMITTEE MEMBERS – Mr. Ventresco said he had notes requesting this discussion be on the agenda. Selectman Lacasse said he would like the Board to discuss whether or not they wanted volunteers to come before the Board when joining a committee. The Board discussed committees being broadcasted and some members not wanting their meetings broadcasted. Selectman Butt mentioned that 7-8 years ago volunteers came before the Board before joining the Planning Board. Chairman Clow would be in favor of meeting committee volunteers. The Board discussed some people being reluctant to come before the Board. There needs to be consistency. It was discussed there is no procedure currently set up. Chairman Clow said it was mentioned that volunteers should attend 3 meetings to the committee in which they wish to volunteer and then come before the BOS. Selectman Butt feels they should put something in place. Chairman Clow asked Mr. Ventresco to put together a procedure.

MANIFESTS

Chairman Clow moved, Selectman Kurk seconded, to authorize the Board of Selectmen to sign Manifest and order the Treasurer or Deputy Treasurer to sign checks dated August 21, 2008. Passed 4-0-1

Accounts payable	\$666,446.28	(includes \$250,000 John Stark / \$400,000 Weare School payment)
Gross Payrolls	<u>\$43,132.28</u>	(includes Credit Union, Taxes)
Total	\$709,578.56	

ADMINISTRATIVE REPORT – Mr. Ventresco mentioned receiving a letter from the Towns of Deering and Francestown pertaining to Mountain Road and whether Weare wants to join them in further action against PSNH. Chairman Clow said that he and Vice Chairman Clark walked the Weare section of Mountain Road with PSNH and specific concerns were pointed out up to that point. The concerns dealt mostly with moving stones and building of birms to direct water. Chairman Clow said following that he has received quite a few emails back and forth between PSNH, Gordon Russell and Mr. Ventresco and it seemed most concerns have been met. Vice Chairman Clark said she went out there and more was done than was requested. Mr. Ventresco said he did receive a call from the 2 gentleman who were here from PSNH and it seemed a lot had been done. Chairman Clow felt PSNH listened to alternatives. Mr. Ventresco said when Gordon Russell was before the Board with PSNH, he got the feeling everyone was satisfied with PSNH. Selectman Kurk said according to DES everything was fine but according to some people everything is not fine. Vice Chairman Clark feels Weare should stay out of it. Selectman Butt asked if the Weare Conservation Commission's responsibilities extend past Mountain Road. Vice Chairman Clark said during the walkthrough there was discussion of planting grass to help with drainage. Mr. Malette said the Conservation Commission will be bringing forth recommendations to the BOS. The Board agreed to table this discussion until recommendations are brought forth by the Conservation

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Committee. Selectman Kurk said Francestown has Pleasant Brook Watershed which is about 4-5,000 feet, last fall water tests came back with high phosphorous levels which they determined were caused by PSNH.

Mr. Ventresco said he has a request from a former employee, Elaine Pearson. Mr. Ventresco said that years ago the town had a 401K with Sun America, the town owns the account. Apparently this account was set up and Ms. Pearson would like the town to sign the account over to her so she can get her money out. Mr. Ventresco called the insurance company and the account was confirmed and is active. Mr. Ventresco has no records of the account and no other employees have money in these accounts. Mr. Ventresco said in with speaking with Sun America Ms. Pearson is the only one who still has an account. This was set up back in 1988 before NH Retirement and is similar to a 454 plan. It was discussed if the town contributed to this account, there is no record if the town contributed or not. Mr. Ventresco speculates that once NH Retirement took affect in 1995, no further contributions were made to this account. Mr. Ventresco will look into this further.

Mr. Ventresco mentioned meetings for next month being September 8th and September 22nd. Mr. Ventresco will not be available for the September 22nd meeting. Chairman Clow said the meetings were originally changed because of Labor Day. Chairman Clow is concerned with waiting until September 29th to discuss the budget process. Mr. Ventresco said setting a date for the budget can be done on September 8th. The Board changed the meeting on September 22nd to September 29th. There will be a Manifest meeting and work session on September 15th. There will be a Public Hearing on September 2nd and Manifest meeting. There will be a Manifest meeting on September 22nd.

Mr. Ventresco asked the Board if they would like to pick a Monday for sexual harassment training for Board members. The Board discussed this training can be done on Monday, September 22nd during a Manifest meeting.

Mr. Ventresco mentioned there is a lot of draft meeting minutes from 2003 on the town website; he would like to get rid of them. Mr. Ventresco will print them out before deleting them. Selectman Butt said either leave them or print them and archive them. Selectman Butt said he knows they need to have a draft version on file within five business days. It was discussed a draft copy of the BOS meeting minutes is sent to an email list, but not the final version. This will be discussed later.

PUBLIC COMMENT – Mr. Malette mentioned to the Board there should be a line on the volunteer form for Evelyn Connor to sign after a volunteer has been sworn in.

CORRESPONDENCE – Selectman Kurk said LGC has a meeting with towns and cities in the state to decide what LGC should bring to the Legislature. The meeting will be on Friday, September 12, 2008 and there should be a member of the Board in attendance. Selectman Kurk said last year the Board reviewed the proposals from LGC and decided which ones they agreed upon. LGC then narrows it down to 3-5 items; sometimes items effected towns more than cities. Selectman Kurk is willing to be the delegate at the conference.

OTHER BUSINESS – Selectman Butt informed the Board that the CERT Counsel met last week and Paul Marsh, member of the CERT team, had some concern over the level of enthusiasm. There has been training given but not implied. There will be another CERT Counsel meeting to see if they want to continue. Selectman Butt said there are volunteers willing to meet. Selectman Butt said they have spoke with the Police Chief who has volunteers but he has not discussed this with the Fire Department. Selectman Butt said it will be up to the CERT members to make the decision. Selectman Kurk asked if there was any talk about a regional CERT. Selectman Butt said Mr. Marsh did discuss this, but it was mentioned no other towns could use the application. Selectman Butt said Chief Begin will contact the Goffstown Police Chief. Selectman Butt said there are 10-12 active members, maybe more enrolled. It was discussed grants could be lost.

Selectman Butt asked about the status of the Center Advisory Committee. Selectman Kurk wonders if the committee is not active because the school is there now. It was discussed that the meetings are posted, but not attended so the committee has been temporarily disband. Chairman Clow said Ian Sweeney is the chairperson. Chairman Clow said after voting in March then continued to meet every month, numbers dwindled and there

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was no real agenda so it was thought to temporarily suspend; there was never a formal vote taken. The Center Advisory Committee is a sub committee to the Planning Board. Chairman Clow said the formal process should be to go before the Planning Board. Selectman Kurk is concerned with it being on the schedule, but yet no meeting took place.

Selectman Butt mentioned the skateboard park and reminded the Board about Joe Fiala previously coming before the Board discussing leasing of the land for \$1.00 a year. It was discussed the area is paved and fenced at WMS. Selectman Butt would like to know if the area is being leased. Chairman Clow said Mr. Fiala did come in and discussed having the equipment built. Selectman Butt wants to know what is being done. Chairman Clow thinks Mr. Fiala is heading a group to possibly raise funds. Mr. Ventresco mentioned this being a PARC issue. Mr. Ventresco mentioned PARC asking to have the skateboard park removed at Ineson. It was discussed Mr. Knapp did not want to remove the park at this time because of the cost to relocate it there.

Chairman Clow moved, Selectman Kurk seconded to enter into non public session at 11:50 p.m. under RSA 91-A:33 II (a, c, & e). A roll call vote was taken, Selectman Butt – yes, Vice Chairman Clark – yes, Selectman Kurk – yes, Selectman Lacasse – yes, Chairman Clow – yes. Passed 5-0-0

_____ moved, _____ seconded to come out of non public at _____ p.m. A roll call vote was taken, Selectman Butt – yes, Vice Chairman Clark – yes, Selectman Kurk – yes, Selectman Lacasse – yes, Chairman Clow – yes. Passed 5-0-0

ADJOURNMENT

A True Record.

Cherry Palmisano, Recording Secretary